



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,264	01/19/2001	Takeshi Hirabayashi	202051US2	6210

22850 7590 09/23/2002
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

EXAMINER	
KOVALICK, VINCENT E	
ART UNIT	PAPER NUMBER

2673
DATE MAILED: 09/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/764,264	HIRABAYASHI, TAKESHI
	Examiner Vincent E Kovalick	Art Unit 2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 January 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,5,6,8,12,13,16,17 and 19 is/are rejected.
- 7) Claim(s) 3,4,7,9-11,14,15,18 and 20-22 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2673

DETAILED ACTION

1. This Office Action is in response to Applicant's Patent Application, Serial No. 09/764,264, with a File Date of January 19,2001.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 6, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takekawa et al. (USP 6,335,724).

Relative to claims 1, 6, 12 and 17, Takekawa et al. **teaches** a method and device for inputting coordinate-position and display board system. Takekawa et al. further **teaches** an apparatus for inputting coordinates (col. 4, lines 47-50; col. 8, lines 2-4, Abstract and Fig. 1), the apparatus comprising a coordinate input plate including a coordinate input plane for inputting a coordinate position (col. 8, lines 2-4); a light source section which emits light that is substantially parallel to the coordinate input plane (col. 7, lines 67 and col. 8, lines 1-4); a reflecting section, or pointing

Art Unit: 2673

stick, or means which reflects the light emitted from the light source section (col. 7, lines 65-67); and a light receiving section which receives the light reflected by the reflecting section, wherein the light source section and the light receiving section are integrated to form a single optical unit, and this optical unit is embedded in the coordinate input plate (col. 8, lines 5-6).

The difference between the teaching of Takekawa et al. and the instant invention and that Takekawa et al. **teaches** using two light sources in the coordinate inputting unit as opposed to the use of only one light source as taught by the instant invention.

It would have been obvious to a person of ordinary skill in the art at the time of the invention that the teaching of Takekawa et al. addresses the limitation as set forth in claims 1, 6, 12 and 17 of the instant invention.

4. Claims 2, 8, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takekawa et al. as applied to claims 1, 6, 12 and 17 respectively in item 3 hereinabove, and further in view of Jung (USP 6,449,041).

Relative to claims 2, 8, 13 and 19, Takekawa et al. **does not teach** said apparatus for inputting coordinates comprising an irradiation height adjusting unit which adjusts a height, form the coordinate input plane, of light emitted from the light source.

Jung **taches** an apparatus and method for measuring optical characteristics of an object (col. 4, lines 10-67 and col. 5, lines 1-62). Jung further **teaches** an irradiation height adjusting unit which adjusts a height, form the coordinate input plane, of light emitted from the light source (col. 58, lines 17-22 and col. 60, lines 7-12).

Art Unit: 2673

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate in the device as taught by Takekawa et al. the feature as taught by Jung in order to put in place the means to adjust the height of the irradiation means from the coordinate input plane to facilitate adjusting the intensity of light received by the system receiving unit/s.

5. Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takekawa et al. as applied to claims 1 and 12 respectively in item 3 herein above, and further in view of Downing (USP 5,988,645).

Regarding claims 5 and 6, Takekawa et al. **does not teach** said apparatus for inputting coordinates wherein a plane including the coordinate input plane is interposed between the light source section and the light receiving section.

Downing **teaches** a moving object monitoring system (col. 5, lines 57-67 and col. 6, lines 1-31). Downing further **teaches** said apparatus for inputting coordinates wherein a plane including the coordinate input plane is interposed between the light source section and the light receiving section (col. 19, lines 49-54 and Fig. 13).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate in the device as taught by Takekawa et al. the feature as taught by Downing in order to put in place the means where the receiving section/s is/are placed in the coordinate input system in positions other than in the same unit with the light source.

Art Unit: 2673

Allowable Subject Matter

6. Claims 3-4, 7, 9-11, 14-15, 18 and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relative to claims 3 and 14, the prior art of record **does not teach** said apparatus for inputting coordinates comprising a reflection height adjusting unit which adjusts a height, from the coordinate input plane, of the reflecting section.

Regarding claims 4 and 15, the prior art of record **does not teach** said apparatus for inputting coordinates comprising a coupling unit through which the apparatus for inputting coordinates can be coupled with another apparatus for inputting coordinates.

Relative to claims 7 and 18, the prior art of record **does not teach** said apparatus for inputting coordinates comprising an emission light mouth, which is an outlet of light with respect to the coordinate input plane, provided with a shielding plate substantially parallel to the coordinate input plane.

Regarding claims 9-11 and 20-22, the prior art of record **does not teach** said apparatus for inputting coordinates comprising a shielding plate extending substantially vertical to the coordinate input plane at an outer edge of the coordinate input plane.

Art Unit: 2673

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6,285,359 Ogasawara et al.

U. S. Patent No. 6,100,538 Ogawa

U. S. Patent No. 4,751,379 Sasaki et al.

Art Unit: 2673

Responses

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Vincent E. Kovalick** whose telephone number is **(703) 306-3020**. The examiner can normally be reached Monday-Thursday from 9:00 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Bipin Shalwala**, can be reached at **(703) 305-4938**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Inquires

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(703) 306-0377**.

Vincent Kovalick

Vincent E. Kovalick

Bipin Shalwala
BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600